

AMENDED IN ASSEMBLY JULY 12, 2011

AMENDED IN ASSEMBLY JUNE 28, 2011

SENATE BILL

No. 441

Introduced by Senator Vargas

February 16, 2011

An act amend Sections 7200, 7201, 7202, 7203, 7204, 7205, 7206, 7208, 7209, 7210, 7211, 7212, 7214, 7225, 7226, 7228, 7229, 7400, 7400.1, 7400.3, 7400.5, 7401, 7402, 7403, 7404, 7406, 7407, 7408, 7409, 7410, 7412, 7420, 7421, 7423, 7424, 7442, 7444, 7462, 7464, 7465, 7466, 7468, 7470, 7650, 7651, 7652, 7653, 7654, 7655, 7656, 7657, 7659, 7661, 7670, 7671, 7673, 7674, 7680, 7681, 7692, 7694, 7695, 7750, 7752, 7753, 7754, 7755, 7770, 7771, 7772.1, 7773, 7774, 7775, 7779, 7781, 7800, 7803, 7805, 7840, 7851, 7854, 7855, 7856, 7857, 7882, 8001, 8020, 8101, 12104, 15460, 15470, 15480, and 15490 of, and to repeal Sections 7227, 7236, 7422, 7430, 7672, 7682, 7772, 7778, 7780, 7782, 7783, 7837, 7870, 7884, 13289, and 13305 of, the Elections Code, relating to elections. *An act to repeal Section 13305 of the Elections Code, relating to elections.*

LEGISLATIVE COUNSEL'S DIGEST

SB 441, as amended, Vargas. Elections: ~~political party central committees contributions.~~

Existing law provides that at every direct primary election a qualified political party's county central committee shall be elected. Existing law provides procedures for the nomination and election of the members of a county central committee and establishes procedures for determining how many members will be on a county central committee.

This bill would instead provide that members of a county central committee would be selected by either party caucus or election at a

~~direct primary election. If the committee members are to be selected by election, then the central committee would be required to provide a list of candidates to the local elections official no later than 5 p.m. on the 88th day prior to the direct primary. Nomination and election documents would no longer be required for the name of a candidate for central committee to be printed on the ballot. This bill would make conforming and other changes to the county central committee selection procedures established under existing law.~~

Existing law permits the county central committee of each qualified political party to supply county elections officials with party contribution envelopes or letters, as specified, to be included with the mailing of the sample ballot to each of the registered voters who indicated the same political party affiliation.

This bill would repeal these provisions.

~~Existing law requires persons qualified to administer an oath of office to administer the oath for county central committee membership without charging a fee.~~

~~This bill would instead require the chairperson of a county central committee to administer the oath of office for county central committee membership.~~

~~Existing law requires the Department of General Services to permit meetings of county central committees to be held in state buildings, at least one each month free of charge.~~

~~This bill would remove that requirement, and make other changes regarding the use of public facilities for county central committee meetings.~~

Vote: majority. Appropriation: no. Fiscal committee: no.
State-mandated local program: no.

The people of the State of California do enact as follows:

- 1 SECTION 1. Section 13305 of the Elections Code is repealed.
- 2 13305. (a) ~~In each county, the county central committee of~~
- 3 ~~each qualified political party may supply to its county elections~~
- 4 ~~official, not less than 83 days prior to the direct primary election,~~
- 5 ~~a party contributor envelope or a one-page letter, in which both~~
- 6 ~~sides may be utilized, to be included in the mailing of the sample~~
- 7 ~~ballot to each of the registered voters in the county who have~~
- 8 ~~disclosed a preference for that same party on the voter's affidavit~~
- 9 ~~of registration. In lieu of supplying the elections official with a~~

1 sufficient number of copies of the one-page letter, a county central
2 committee may supply the elections official, not less than 83 days
3 before the direct primary election, with the text of the letter and
4 request the elections official to print, or cause to be printed, a
5 sufficient number of copies of the letter to accommodate the
6 mailing. The elections official shall notify the respective county
7 committee of, and the committee shall reimburse the county for,
8 any actual costs incurred by the inclusion or printing, or both. The
9 elections official may, prior to acting pursuant to this subdivision,
10 require the county committee to post a bond to ensure the
11 reimbursement.

12 (b) Each envelope or letter shall contain a space for the name
13 and address of the contributor, and shall contain language which
14 informs the contributor of the manner in which the money received
15 shall be spent. The language on the envelope or letter shall not
16 contain words critical of any other political party.

17 (c) All funds received by the return of the party contributor
18 envelopes or in response to the letters shall be kept separate from
19 all other funds and shall be kept in a fund (account) to be
20 established in each county. Any funds which are prohibited under
21 federal law from being used for candidates for federal office shall
22 be further segregated and any portion allocated to candidates shall
23 be disbursed only to candidates for state office.

24 SECTION 1. Section 7200 of the Elections Code is amended
25 to read:

26 7200. In each county containing less than five Assembly
27 districts, a county committee shall be selected by supervisor
28 districts, and the number to be selected from any supervisor district
29 shall be determined as follows: There shall be taken the number
30 of votes cast in the supervisor district at the last gubernatorial
31 election for that party's candidate for Governor, or, if the party
32 had no candidate for Governor, for the candidate of the party voted
33 on throughout the state who received the greatest number of votes
34 and who was the candidate of that party alone. This number shall
35 be divided by one-twentieth of the number of votes cast in that
36 county for Governor or, where the party had no candidate for
37 Governor, for the candidate mentioned above. The integer next
38 larger than the quotient obtained by that division shall constitute
39 the number of members of the committee to be selected by that
40 party in that supervisor district.

1 The committees in counties containing less than five Assembly
2 districts shall be composed of not less than 21 members. If the
3 procedure outlined above would result in less than 21 members
4 being selected for any committee, the number of votes cast for this
5 party's candidate in each supervisor district shall be divided by an
6 amount sufficiently smaller than one-twentieth of the votes cast
7 for Governor in that county as to give a membership in the
8 committee equal to or the nearest amount which is greater than 21
9 members.

10 In a county of the eighth class as defined in Section 28029 of
11 the Government Code, the county central committee by resolution
12 may provide for the selection of 25 central committee members
13 to represent 25 individual central committee districts. Each member
14 shall reside in the district he or she represents, but shall be selected
15 at large within the Assembly district in which the county central
16 committee district he or she represents is located.

17 The county central committee shall reapportion itself at least
18 every 10 years, prior to the June primary election of that year. Each
19 district shall be apportioned on the basis of the number of registered
20 Democrats for the June primary in each even-numbered year, with
21 no more than a 10-percent deviation from the average. Each district
22 shall be compact, contiguous, and utilize any natural and
23 neighborhood boundaries. The district boundaries shall not cut
24 across any precinct district's lines as drawn by the elections official
25 for the last general or consolidated election.

26 SEC. 2. Section 7201 of the Elections Code is amended to read:

27 7201. Notwithstanding any other provision of law, in a county
28 of the fifth class as defined in Section 28026 of the Government
29 Code, the selected members of the county central committee shall
30 be selected by Assembly districts and shall consist of six members
31 elected from each Assembly district, whether wholly or partly
32 within the county, provided each such member is a resident of the
33 county and of the Assembly district which the member represents.
34 Only a person who is a resident of the county may vote for a
35 candidate for membership to the county central committee and
36 may vote only for candidates seeking to represent the Assembly
37 district in which the voter resides.

38 SEC. 3. Section 7202 of the Elections Code is amended to read:

39 7202. In each county containing more than four and less than
40 20 Assembly districts, a county central committee shall be selected

1 from Assembly districts and shall consist of six members selected
2 from each Assembly district.

3 SEC. 4. Section 7203 of the Elections Code is amended to read:

4 7203. In each county containing 20 or more Assembly districts
5 a county central committee shall consist of seven members selected
6 from each Assembly district contained either wholly or partially
7 within the county. In an Assembly district that lies only partially
8 within a county containing 20 or more Assembly districts, the
9 seven members shall be selected from that portion of the Assembly
10 district contained within the county.

11 SEC. 5. Section 7204 of the Elections Code is amended to read:

12 7204. In each city and county a county central committee shall
13 be selected by Assembly districts and shall consist of 12 members
14 selected from Assembly District 12, and 12 members selected from
15 Assembly District 13.

16 SEC. 6. Section 7205 of the Elections Code is amended to read:

17 7205. Notwithstanding this article, each county central
18 committee by resolution may provide for the selection of all or a
19 portion of central committee members to represent individual
20 central committee districts. The member shall reside in the district
21 he or she represents but shall be selected at large within the
22 Assembly district in which the county central committee district
23 he or she represents is located.

24 The county central committee shall reapportion itself at least
25 every 10 years, prior to the June primary election of that year. Each
26 district shall be apportioned on the basis of the number of registered
27 Democrats for the June primary in each even-numbered year, with
28 no more than a 10-percent deviation from the average. Each district
29 shall be compact, contiguous, and utilize any natural and
30 neighborhood boundaries. The district boundaries shall not cut
31 across any district lines of a precinct as drawn by the elections
32 official for the last general or consolidated election.

33 SEC. 7. Section 7206 of the Elections Code is amended to read:

34 7206. In each county the nominee of this party for Senator or
35 the incumbent Senator, the nominees of this party for the Assembly,
36 and any person elected to either the Senate or Assembly at a special
37 election to fill a vacancy in that house, and the nominee of this
38 party for Representative in Congress, and any person elected at a
39 special election to fill a vacancy in the House of Representatives,
40 shall be ex officio members of this committee. If the person elected

1 from one party at the special election for an Assembly or Senate
2 seat, or for the House of Representatives, shall be other than the
3 nominee of that party for the same office at the prior election, the
4 ex officio membership of the nominee shall expire immediately
5 upon certification by the Secretary of State of the election. Ex
6 officio members shall be entitled to all the rights and privileges,
7 including the right to vote, and shall have the same standing in
8 every way as other members of this committee, except they shall
9 not be entitled to a ballot designation of incumbent upon seeking
10 selection to this committee in the next direct primary or party
11 caucus.

12 SEC. 8. Section 7208 of the Elections Code is amended to read:

13 7208. A committee may authorize any member of that
14 committee, whether selected or ex officio, to appoint an alternate
15 if a member desires to appoint an alternate. An incumbent Member
16 of the Senate or Assembly at the time of the meeting of the
17 committee may appoint an alternate member without authorization
18 from that committee, if the member desires to appoint an alternate.

19 That alternate member shall have the right to vote only with the
20 written authorization of the member who appointed him or her.
21 An alternate member of a county central committee shall be subject
22 to the rules and regulations of the committee.

23 An alternate member must meet the same qualifications as the
24 regular member and may vote only in the absence of the member
25 who appointed him or her.

26 SEC. 9. Section 7209 of the Elections Code is amended to read:

27 7209. A person shall not be eligible for selection or
28 appointment to a committee who is not registered as affiliated with
29 this party at the time of his or her appointment or election.

30 SEC. 10. Section 7210 of the Elections Code is amended to
31 read:

32 7210. Each member of a committee, whether selected or
33 appointed to fill a vacancy, before he or she enters upon the duties
34 of his office, shall take and subscribe the oath or affirmation set
35 forth in Section 3 of Article XX of the Constitution.

36 The oath or affirmation required by this section may be taken
37 before the chairperson of the county central committee.

38 SEC. 11. Section 7211 of the Elections Code is amended to
39 read:

1 ~~7211. In the event that the candidates selected to be on a~~
2 ~~committee from a district do not equal the number of party~~
3 ~~committeepersons to which the district is entitled to be represented,~~
4 ~~a vacancy or vacancies exist to the extent of the difference between~~
5 ~~the number of selected committeepersons and the number of~~
6 ~~committeepersons by which the district is entitled to be represented.~~
7 ~~When the vacancy or vacancies exist, they shall be filled by the~~
8 ~~committee to which insufficient members were selected, in the~~
9 ~~manner provided for in Section 7212.~~

10 ~~SEC. 12. Section 7212 of the Elections Code is amended to~~
11 ~~read:~~

12 ~~7212. In the event an ineligible person is appointed to or~~
13 ~~selected to be on a committee, or whenever any member of the~~
14 ~~committee dies, resigns or becomes incapacitated to act, or removes~~
15 ~~from the jurisdiction of the committee, or ceases to be a member~~
16 ~~of this party, a vacancy exists which shall be filled by appointment~~
17 ~~by the committee in which the ineligibility or vacancy occurs. A~~
18 ~~vacancy shall also exist on a committee when a member is removed~~
19 ~~from the committee pursuant to Section 7213 or 7215.~~

20 ~~SEC. 13. Section 7214 of the Elections Code is amended to~~
21 ~~read:~~

22 ~~7214. The removal of residence by a selected or appointed~~
23 ~~member of a committee from the Assembly district or supervisor~~
24 ~~district from which he or she has been selected or appointed a~~
25 ~~member of that committee shall constitute his or her automatic~~
26 ~~resignation from the committee.~~

27 ~~SEC. 14. Section 7225 of the Elections Code is amended to~~
28 ~~read:~~

29 ~~7225. A county central committee may select its members at~~
30 ~~a caucus organized by the committee or by requesting the county~~
31 ~~elections official to include a list of candidates for the county~~
32 ~~central committee on the direct primary election ballot. The~~
33 ~~chairperson of the county central committee shall advise the county~~
34 ~~elections official of the committee's choice to select by caucus or~~
35 ~~by election on the direct primary election ballot. Any member of~~
36 ~~the party seeking to be nominated for selection to the county central~~
37 ~~committee shall notify the county central committee at the time~~
38 ~~and in the form specified by the party but no later than January 31~~
39 ~~of the year in which the direct primary election is to be conducted.~~
40 ~~The list of candidates to be included on the direct primary election~~

1 ballot must be delivered to the local elections official no later than
2 5 p.m. on the 88th day prior to the direct primary.

3 SEC. 15. Section 7226 of the Elections Code is amended to
4 read:

5 7226. The chairperson of the county central committee, no
6 later than January 31 preceeding the direct primary, shall compute
7 the number of members of the committee allotted to each Assembly
8 district or supervisor district, as the case may be, pursuant to this
9 article.

10 SEC. 16. Section 7227 of the Elections Code is repealed.

11 SEC. 17. Section 7228 of the Elections Code is amended to
12 read:

13 7228. If the chairperson of the county central committee, on
14 the 73rd day prior to the direct primary election, finds that the
15 number of candidates nominated for selection to a committee from
16 an Assembly or supervisorial district does not exceed the number
17 of candidates to be selected from that Assembly or supervisorial
18 district, the chairperson shall declare selected the candidates who
19 have been nominated.

20 SEC. 18. Section 7229 of the Elections Code is amended to
21 read:

22 7229. Whenever a candidate for selection to a committee dies
23 on or before the day of election or the day of the party caucus, and
24 a sufficient number of ballots are marked as being voted for him
25 or her to entitle him or her to selection if he or she had lived until
26 after the day of the election or party caucus, a vacancy exists on
27 the county central committee, which shall be filled by the
28 committee in the same manner as other vacancies are filled.

29 SEC. 19. Section 7236 of the Elections Code is repealed.

30 SEC. 20. Section 7400 of the Elections Code is amended to
31 read:

32 7400. In each county containing less than five Assembly
33 districts, a county central committee shall be selected by supervisor
34 districts, and the number to be selected from any supervisor district
35 shall be determined as follows: There shall be taken the number
36 of votes cast in the supervisor district at the last gubernatorial
37 election for that party's candidate for Governor, or, if the party
38 had no candidate for Governor, for the candidate of the party voted
39 on throughout the state who received the greatest number of votes
40 and who was the candidate of that party alone. This number shall

1 be divided by one-twentieth of the number of votes cast in that
2 county for Governor or, where the party had no candidate for
3 Governor, for the candidate mentioned above. The integer next
4 larger than the quotient obtained by such division shall constitute
5 the number of members of the committee to be selected by that
6 party in that supervisor district.

7 The committees in counties containing less than five Assembly
8 districts shall be composed of not less than 21 members. If the
9 procedure outlined above would result in less than 21 members
10 being selected for any committee, the number of votes cast for this
11 party's candidate in each supervisor district shall be divided by an
12 amount sufficiently smaller than one-twentieth of the votes cast
13 for Governor in that county as to give a membership in the
14 committee equal to or the nearest amount which is greater than 21
15 members.

16 SEC. 21. Section 7400.1 of the Elections Code is amended to
17 read:

18 7400.1. (a) Notwithstanding Sections 7400 and 7401, in the
19 County of Sacramento, the county central committee shall be
20 selected by supervisor districts, and the number to be selected from
21 any supervisor district shall be determined as follows: There shall
22 be taken the number of votes cast in the supervisor district at the
23 last gubernatorial election for that party's candidate for Governor,
24 or, if the party did not have a candidate for Governor, for the
25 candidate of the party voted on throughout the state who received
26 the greatest number of votes and who was the candidate of that
27 party alone. This number shall be divided by one-thirtieth of the
28 number of votes cast in Sacramento County for Governor or, where
29 the party did not have a candidate for Governor, for the candidate
30 mentioned above. The integer next larger than the quotient obtained
31 by that division shall constitute the number of members of the
32 committee to be selected by that party in that supervisor district.

33 (b) The Sacramento County Central Committee shall be
34 composed of not less than 31 members. If the procedure outlined
35 above would result in less than 31 members being selected for any
36 committee, the number of votes cast for this party's candidate in
37 each supervisor district shall be divided by an amount sufficiently
38 smaller than one-thirtieth of the votes cast for Governor in
39 Sacramento County as to give a membership on the committee
40 equal to or the nearest amount that is greater than 31 members.

1 ~~SEC. 22. Section 7400.3 of the Elections Code is amended to~~
2 ~~read:~~

3 ~~7400.3. (a) Notwithstanding Sections 7400 and 7401, in the~~
4 ~~County of Santa Clara, the county central committee shall be~~
5 ~~selected by supervisor districts, and the number to be selected from~~
6 ~~any supervisor district shall be determined as follows:~~

7 ~~(1) There shall be taken the number of votes cast in the~~
8 ~~supervisor district at the last gubernatorial election for that party's~~
9 ~~candidate for Governor, or, if the party did not have a candidate~~
10 ~~for Governor, for the candidate of the party voted on throughout~~
11 ~~the state who received the greatest number of votes and who was~~
12 ~~the candidate of that party alone.~~

13 ~~(2) This number shall be divided by one-twenty-second of the~~
14 ~~number of votes cast in Santa Clara County for Governor or, where~~
15 ~~the party did not have a candidate for Governor, for the candidate~~
16 ~~mentioned above. The integer next larger than the quotient obtained~~
17 ~~by that division shall constitute the number of members of the~~
18 ~~committee to be selected by that party in that supervisor district.~~

19 ~~(b) The Santa Clara County Central Committee shall be~~
20 ~~composed of not less than 23 members. If the procedure outlined~~
21 ~~above would result in less than 23 members being selected to the~~
22 ~~committee, the number of votes cast for this party's candidate in~~
23 ~~each supervisor district shall be divided by an amount sufficiently~~
24 ~~smaller than one-twenty-second of the votes cast for Governor in~~
25 ~~Santa Clara County as to give a membership on the committee~~
26 ~~equal to or the nearest amount that is greater than 23 members.~~

27 ~~SEC. 23. Section 7400.5 of the Elections Code is amended to~~
28 ~~read:~~

29 ~~7400.5. (a) Notwithstanding Sections 7400 and 7401, in the~~
30 ~~County of San Bernardino, the county central committee shall be~~
31 ~~selected by supervisor districts, and the number to be selected from~~
32 ~~any supervisor district shall be determined as follows:~~

33 ~~(1) There shall be taken the number of votes cast in the~~
34 ~~supervisor district at the last gubernatorial election for that party's~~
35 ~~candidate for Governor, or, if the party did not have a candidate~~
36 ~~for Governor, for the candidate of the party voted on throughout~~
37 ~~the state who received the greatest number of votes and who was~~
38 ~~the candidate of that party alone.~~

39 ~~(2) This number shall be divided by one-thirtieth of the number~~
40 ~~of votes cast in San Bernardino County for Governor or, where~~

1 the party did not have a candidate for Governor, for the candidate
2 mentioned above. The integer next larger than the quotient obtained
3 by that division shall constitute the number of members of the
4 committee to be selected by that party in that supervisor district.

5 (b) ~~The San Bernardino County Central Committee shall be~~
6 ~~composed of not fewer than 30 members. If the procedure outlined~~
7 ~~above would result in fewer than 30 members being selected to~~
8 ~~the committee, the number of votes cast for this party's candidate~~
9 ~~in each supervisor district shall be divided by an amount~~
10 ~~sufficiently smaller than one-thirtieth of the votes cast for Governor~~
11 ~~in San Bernardino County as to give a membership on the~~
12 ~~committee equal to or the nearest amount that is greater than 30~~
13 ~~members.~~

14 SEC. 24. ~~Section 7401 of the Elections Code is amended to~~
15 ~~read:~~

16 ~~7401. In each county containing more than four and less than~~
17 ~~20 Assembly districts, a county central committee shall be selected~~
18 ~~from Assembly districts and shall consist of six members selected~~
19 ~~from each Assembly district.~~

20 SEC. 25. ~~Section 7402 of the Elections Code is amended to~~
21 ~~read:~~

22 ~~7402. In each county containing 20 or more Assembly districts~~
23 ~~a county central committee shall consist of seven members selected~~
24 ~~from each Assembly district contained either wholly or partially~~
25 ~~within the county. In an Assembly district that lies only partially~~
26 ~~within a county containing 20 or more Assembly districts, the~~
27 ~~seven members shall be selected from that portion of the Assembly~~
28 ~~district contained within the county.~~

29 SEC. 26. ~~Section 7403 of the Elections Code is amended to~~
30 ~~read:~~

31 ~~7403. In each city and county, a county central committee shall~~
32 ~~be selected by Assembly districts and shall consist of 13 members~~
33 ~~selected from Assembly District 12 and 12 members selected from~~
34 ~~Assembly District 13.~~

35 SEC. 27. ~~Section 7404 of the Elections Code is amended to~~
36 ~~read:~~

37 ~~7404. (a) In each county, the nominee of the party for State~~
38 ~~Senator, the nominees of the party for the Assembly, and any~~
39 ~~person nominated to either the Senate or Assembly at a special~~
40 ~~election to fill a vacancy in the house, and the nominee of the party~~

1 for Representative in Congress shall be ex officio members of this
2 committee. If the person most recently nominated or elected from
3 one party at the special election for an Assembly or Senate seat,
4 or for the House of Representatives shall be other than the nominee
5 of that party for the same office at the earlier election, the ex officio
6 membership of the latter nominee shall expire immediately upon
7 certification by the Secretary of State of the nomination or, if there
8 is no runoff, the election of the person most recently nominated
9 or elected. Ex officio members shall be entitled to all the rights
10 and privileges, including the right to vote, and shall have the same
11 standing in every way as other members of this committee, except
12 they shall not be entitled to a ballot designation of incumbent if
13 the committee selects its members by election in the next direct
14 primary. A person shall be entitled to ex officio membership upon
15 receiving a certificate of nomination from the Secretary of State
16 pursuant to Section 8147, at which time the term of the former
17 nominee shall expire.

18 (b) If the person most recently nominated to the Senate,
19 Assembly, or House of Representatives received less votes for the
20 particular office at the ensuing general election than a write-in
21 candidate for the same office, and the write-in candidate is elected
22 to that office the write-in candidate shall, for purposes of this part,
23 be considered the ex officio member of each affected county,
24 provided that the write-in candidate's affidavit of registration
25 reflects that that candidate has been affiliated with the party for at
26 least six months prior to the general election.

27 (c) If a write-in candidate is entitled to ex officio membership
28 on each affected county central committee pursuant to subdivision
29 (b), each affected county central committee shall designate the
30 party nominee described in subdivision (b) as an additional ex
31 officio member to its committee. Any person designated as an ex
32 officio member under this subdivision shall be entitled to all the
33 rights and privileges as other ex officio members of the committee.

34 SEC. 28. Section 7406 of the Elections Code is amended to
35 read:

36 7406. A committee may authorize each selected member and
37 each ex officio member of that committee to appoint an alternate
38 member. An ex officio member who is also an incumbent
39 officeholder of any of the offices listed in Sections 7404 and 7405
40 at the time of the meeting of the committee may appoint an

1 ~~alternate member without authorization from that committee, if~~
2 ~~the member desires to appoint an alternate.~~

3 ~~The alternate member shall have the right to vote only with the~~
4 ~~written authorization of the member who appointed him or her.~~
5 ~~An alternate member of a committee shall be subject to the rules~~
6 ~~and regulations of the committee.~~

7 ~~An alternate member must meet the same qualifications as the~~
8 ~~regular member, and may vote only in the absence of the member~~
9 ~~who appointed him or her, except that an alternate member~~
10 ~~appointed by an incumbent Senator, Member of the Assembly, or~~
11 ~~Representative in Congress need not reside in the district of the~~
12 ~~appointing power but need only reside in the county of jurisdiction~~
13 ~~of the committee.~~

14 ~~SEC. 29. Section 7407 of the Elections Code is amended to~~
15 ~~read:~~

16 ~~7407. A person shall not be eligible for selection or~~
17 ~~appointment to a committee who is not registered as affiliated with~~
18 ~~this party at the time of his or her appointment or selection.~~

19 ~~SEC. 30. Section 7408 of the Elections Code is amended to~~
20 ~~read:~~

21 ~~7408. Each member of a committee, whether selected or~~
22 ~~appointed to fill a vacancy, before he or she enters upon the duties~~
23 ~~of his or her office, shall take and subscribe the oath or affirmation~~
24 ~~set forth in Section 3 of Article XX of the Constitution.~~

25 ~~The oath or affirmation required by this section may be taken~~
26 ~~before the chairperson of the committee.~~

27 ~~SEC. 31. Section 7409 of the Elections Code is amended to~~
28 ~~read:~~

29 ~~7409. In the event that the number of candidates selected to be~~
30 ~~on a committee from a district do not equal the number of party~~
31 ~~committeemembers to which that district is entitled to be~~
32 ~~represented, a vacancy or vacancies exist to the extent of the~~
33 ~~difference between the number of selected committeemembers~~
34 ~~and the number of committeemembers by which the district is~~
35 ~~entitled to be represented. When a vacancy or vacancies exist, they~~
36 ~~shall be filled by the committee to which insufficient members~~
37 ~~were selected, in the manner provided for in Section 7410.~~

38 ~~SEC. 32. Section 7410 of the Elections Code is amended to~~
39 ~~read:~~

~~7410.—In the event an ineligible person is appointed to or selected to be on a committee, or whenever any member of the committee dies, resigns or becomes incapacitated to act, or removes from the jurisdiction of the committee, or ceases to be a member of this party, a vacancy exists which shall be filled by appointment by the committee in which the ineligibility or vacancy occurs. A vacancy shall also exist on a committee when a member is removed from the committee pursuant to Section 7411 or 7413.~~

~~SEC. 33.—Section 7412 of the Elections Code is amended to read:~~

~~7412.—The removal of residence by a selected or appointed member of a committee from the Assembly district or supervisor district from which he or she has been selected or appointed a member of that committee shall constitute his or her automatic resignation from the committee.~~

~~SEC. 34.—Section 7420 of the Elections Code is amended to read:~~

~~7420.—(a) To replace a member whose term is expiring, a county central committee may select a member at a caucus organized by the committee or request the county elections official to include a list of candidates for the county central committee on the direct primary election ballot. The chairperson of the county central committee shall advise the county elections official of the committee's choice to select by caucus or by election on the direct primary election ballot. Any member of the party seeking to be nominated for selection to the county central committee shall notify the county central committee at the time and in the form specified by the party but no later than January 31 of the year in which the direct primary election is to be conducted. The list of candidates to be included on the direct primary election ballot must be delivered to the local elections official no later than 5 p.m. on the 88th day prior to the direct primary.~~

~~(b) When district boundaries are redrawn and districts are renumbered in accordance with the decennial census, a member of a county central committee may seek to be selected for membership in a newly numbered district at the next election or party caucus even though his or her current term of office has not expired. If a person is selected in the newly numbered district and takes the oath of office, the person is deemed to have resigned from his or her previous district office at that time.~~

1 ~~SEC. 35. Section 7421 of the Elections Code is amended to~~
2 ~~read:~~

3 ~~7421. The county central committee chairperson, no later than~~
4 ~~January 31 preceding the direct primary, shall compute the number~~
5 ~~of members of the committee allotted to each Assembly district~~
6 ~~or supervisor district, as the case may be, pursuant to this article.~~

7 ~~SEC. 36. Section 7422 of the Elections Code is repealed.~~

8 ~~SEC. 37. Section 7423 of the Elections Code is amended to~~
9 ~~read:~~

10 ~~7423. If the chairperson of the county central committee, on~~
11 ~~the 73rd day prior to the direct primary election, finds that the~~
12 ~~number of candidates nominated for selection to a committee from~~
13 ~~an Assembly or supervisorial district does not exceed the number~~
14 ~~of candidates to be selected from that Assembly or supervisorial~~
15 ~~district, the chairperson shall declare selected the candidates who~~
16 ~~have been nominated.~~

17 ~~SEC. 38. Section 7424 of the Elections Code is amended to~~
18 ~~read:~~

19 ~~7424. Whenever a candidate for selection to a committee dies~~
20 ~~on or before the day of election or party caucus, and a sufficient~~
21 ~~number of ballots are marked as being voted for him or her to~~
22 ~~entitle him or her to selection if he or she had lived until after the~~
23 ~~election or caucus, a vacancy exists on the county central~~
24 ~~committee, which shall be filled by the committee in the same~~
25 ~~manner as other vacancies are filled.~~

26 ~~SEC. 39. Section 7430 of the Elections Code is repealed.~~

27 ~~SEC. 40. Section 7442 of the Elections Code is amended to~~
28 ~~read:~~

29 ~~7442. A committee may make rules and regulations providing~~
30 ~~for any of the following:~~

31 ~~(a) How officers of the committee may be removed.~~

32 ~~(b) How meetings may be called, and any provisions so made~~
33 ~~shall supersede anything in this chapter to the contrary.~~

34 ~~(c) Whether or not proxies may be used and the conditions under~~
35 ~~which they may be used.~~

36 ~~Any rule adopted prior to statutory authorization by any county~~
37 ~~central committee by majority vote of the selected members of the~~
38 ~~committee is hereby validated and made of the same effect as if~~
39 ~~subsequently adopted.~~

1 ~~SEC. 41. Section 7444 of the Elections Code is amended to~~
2 ~~read:~~

3 ~~7444. If the chairperson of a committee refuses to call a~~
4 ~~meeting, a meeting may be called upon five days' notice by a~~
5 ~~majority of the members of the committee.~~

6 ~~SEC. 42. Section 7462 of the Elections Code is amended to~~
7 ~~read:~~

8 ~~7462. Each committee shall consist of the persons selected to~~
9 ~~be on the county central committee of a single Assembly or~~
10 ~~supervisory district.~~

11 ~~SEC. 43. Section 7464 of the Elections Code is amended to~~
12 ~~read:~~

13 ~~7464. The district committees may select any officers and~~
14 ~~undertake any action as the bylaws of the county central committee~~
15 ~~of which they are a part provide.~~

16 ~~SEC. 44. Section 7465 of the Elections Code is amended to~~
17 ~~read:~~

18 ~~7465. In the event that the candidates selected to be on a district~~
19 ~~committee do not equal the number of party committeemembers~~
20 ~~by which the district is entitled to be represented under Article 1~~
21 ~~(commencing with Section 7400), a vacancy or vacancies exist to~~
22 ~~the extent of the difference between the number of selected~~
23 ~~committeemembers and the number of committeemembers by~~
24 ~~which the district is entitled to be represented. When a vacancy or~~
25 ~~vacancies exist, they shall be filled by the district committee to~~
26 ~~which insufficient members were selected.~~

27 ~~SEC. 45. Section 7466 of the Elections Code is amended to~~
28 ~~read:~~

29 ~~7466. In the event an ineligible person is appointed to or~~
30 ~~selected to be on a district committee, or whenever any member~~
31 ~~of the committee dies, resigns or becomes incapacitated to act, is~~
32 ~~removed from office, or removes from the jurisdiction of the~~
33 ~~district committee, or ceases to be a member of this party, a~~
34 ~~vacancy exists which shall be filled by appointment by the district~~
35 ~~committee in which the ineligibility or vacancy occurs.~~

36 ~~SEC. 46. Section 7468 of the Elections Code is amended to~~
37 ~~read:~~

38 ~~7468. The removal of residence by a selected or appointed~~
39 ~~member of a district committee from the Assembly district or~~
40 ~~supervisory district from which he or she has been elected or~~

1 appointed a member of that committee shall constitute his or her
2 automatic resignation from that committee.

3 SEC. 47. Section 7470 of the Elections Code is amended to
4 read:

5 7470. Whenever any person is appointed to fill a vacancy on
6 a district committee, the district committee shall notify within 10
7 days the chairperson of the county central committee. The notices
8 shall contain the name and address of the person appointed and
9 the name of the person replaced, and shall indicate the date of the
10 appointment.

11 SEC. 48. Section 7650 of the Elections Code is amended to
12 read:

13 7650. In each county containing less than five Assembly
14 districts or portions thereof, except the City and County of San
15 Francisco, a county central committee of at least 25 members shall
16 be selected by supervisor districts, and the number selected from
17 each supervisor district shall be determined as follows:

18 The number of voters registered as members of the American
19 Independent Party, as reflected in the statement of voters and their
20 political affiliations transmitted to the Secretary of State on or
21 before the 135th day before any primary election, shall be divided
22 by 25. The number thus derived shall be divided into the number
23 of American Independent Party voters registered in each supervisor
24 district, and the integer nearest the resulting quotient shall be the
25 number of central committee members to be selected to represent
26 that supervisor district.

27 SEC. 49. Section 7651 of the Elections Code is amended to
28 read:

29 7651. In each county containing more than four Assembly
30 districts or portions thereof, and the City and County of San
31 Francisco, a county central committee shall be selected by
32 Assembly districts, and the number selected shall be that number
33 derived by multiplying 7 times the number of Assembly districts
34 in whole or in part within the county. The number selected from
35 each Assembly district shall be determined as follows:

36 The number of voters registered as members of the American
37 Independent Party, as reflected in the statement of voters and their
38 political affiliations transmitted to the Secretary of State on or
39 before the 135th day before any primary election, shall be divided
40 by the total number of members to be selected in the county. The

1 number thus derived shall be divided into the number of American
2 Independent Party voters registered in each Assembly district or
3 portion thereof, and the integer nearest the resulting quotient shall
4 be the number of central committee members to be selected to
5 represent that Assembly district or portion thereof.

6 SEC. 50. ~~Section 7652 of the Elections Code is amended to~~
7 ~~read:~~

8 ~~7652. The incumbent or nominee of each of the following~~
9 ~~offices shall be an ex officio member of the committee in the~~
10 ~~county in which he or she resides:~~

11 ~~(a) Governor.~~

12 ~~(b) Lieutenant Governor.~~

13 ~~(c) Secretary of State.~~

14 ~~(d) Controller.~~

15 ~~(e) Treasurer.~~

16 ~~(f) Attorney General.~~

17 ~~(g) Member of the State Board of Equalization.~~

18 ~~(h) United States Senator from California.~~

19 ~~(i) Representative in Congress from California.~~

20 ~~(j) All Members of the Legislature.~~

21 ~~(k) Any person nominated to a partisan office at a special~~
22 ~~election to fill a vacancy in that office.~~

23 ~~Ex officio members shall be entitled to all the rights and~~
24 ~~privileges, including the right to vote, and shall have the same~~
25 ~~standing in every way as other members of this committee, except~~
26 ~~they shall not be entitled to a ballot designation of incumbent upon~~
27 ~~seeking election to this committee in the next direct primary if the~~
28 ~~committee has chosen to select its members by election.~~

29 SEC. 51. ~~Section 7653 of the Elections Code is amended to~~
30 ~~read:~~

31 ~~7653. A committee may authorize any member of that~~
32 ~~committee, whether selected or ex officio, to appoint an alternate~~
33 ~~if a member desires to appoint an alternate. An incumbent of a~~
34 ~~voter nominated office at the time of the meeting of the committee~~
35 ~~may appoint an alternate member without authorization from that~~
36 ~~committee, if the member desires to appoint an alternate.~~

37 ~~The alternate member shall have the right to vote only with the~~
38 ~~written authorization of the member who appointed him or her.~~
39 ~~An alternate member of a county central committee shall be subject~~
40 ~~to the rules and regulations of the committee.~~

1 ~~An alternate member must meet the same qualifications as the~~
2 ~~regular member and may vote only in the absence of the member~~
3 ~~who appointed him or her.~~

4 ~~SEC. 52. Section 7654 of the Elections Code is amended to~~
5 ~~read:~~

6 ~~7654. A person shall not be eligible to be selected to be on or~~
7 ~~for appointment to a committee who is not registered as affiliated~~
8 ~~with this party at the time of his or her appointment or election.~~

9 ~~SEC. 53. Section 7655 of the Elections Code is amended to~~
10 ~~read:~~

11 ~~7655. Each member of a committee, whether selected to be on~~
12 ~~the committee or appointed to fill a vacancy, before he or she enters~~
13 ~~upon the duties of his or her office, shall take and subscribe the~~
14 ~~oath or affirmation set forth in Section 3 of Article XX of the~~
15 ~~Constitution.~~

16 ~~The oath or affirmation required by this section may be~~
17 ~~administered by the chairperson of the committee.~~

18 ~~SEC. 54. Section 7656 of the Elections Code is amended to~~
19 ~~read:~~

20 ~~7656. In the event that the candidates selected to be on a~~
21 ~~committee from a district do not equal the number of party~~
22 ~~committeepersons to which that district is entitled to be represented~~
23 ~~under this chapter, a vacancy or vacancies exist to the extent of~~
24 ~~the difference between the number of selected committeemembers~~
25 ~~and the number of committeemembers by which the district is~~
26 ~~entitled to be represented. When a vacancy or vacancies exist they~~
27 ~~shall be filled by the committee to which insufficient members~~
28 ~~were selected, in the manner provided for in Section 7657.~~

29 ~~SEC. 55. Section 7657 of the Elections Code is amended to~~
30 ~~read:~~

31 ~~7657. In the event an ineligible person is selected to be on or~~
32 ~~appointed to a committee, or whenever any member of the~~
33 ~~committee dies, resigns or becomes incapacitated to act, or removes~~
34 ~~from the jurisdiction of the committee, or ceases to be a member~~
35 ~~of this party, a vacancy exists which shall be filled by appointment~~
36 ~~by the committee in which the ineligibility or vacancy occurs. A~~
37 ~~vacancy shall also exist on a committee when a member is removed~~
38 ~~from the committee pursuant to Section 7658 or 7660.~~

39 ~~SEC. 56. Section 7659 of the Elections Code is amended to~~
40 ~~read:~~

1 ~~7659. The removal of residence by a selected or appointed~~
2 ~~member of a committee from the Assembly district or supervisor~~
3 ~~district from which he or she has been selected or appointed a~~
4 ~~member of that committee shall constitute his or her automatic~~
5 ~~resignation from the committee.~~

6 ~~SEC. 57. Section 7661 of the Elections Code is amended to~~
7 ~~read:~~

8 ~~7661. Whenever any person is appointed to fill a vacancy on~~
9 ~~a committee, the chairperson of the committee shall file notices~~
10 ~~of the appointment with the chairperson of the state central~~
11 ~~committee within 30 days after it is made. The notices shall contain~~
12 ~~the name and address of the person appointed and the name of the~~
13 ~~person replaced, and shall indicate the date of the appointment.~~

14 ~~SEC. 58. Section 7670 of the Elections Code is amended to~~
15 ~~read:~~

16 ~~7670. A county central committee may select its members at~~
17 ~~a caucus organized by the committee or by requesting the county~~
18 ~~elections official to include a list of candidates for the county~~
19 ~~central committee on the direct primary election ballot. The list of~~
20 ~~candidates to be included on the direct primary election ballot must~~
21 ~~be delivered to the local elections official no later than 5 p.m. on~~
22 ~~the 88th day prior to the direct primary..~~

23 ~~SEC. 59. Section 7671 of the Elections Code is amended to~~
24 ~~read:~~

25 ~~7671. The Secretary of State, no later than 125 days before the~~
26 ~~direct primary, shall compute the number of members of central~~
27 ~~committees to be selected in each county, and shall mail a~~
28 ~~certificate reporting that information to the Chairperson of the~~
29 ~~American Independent Party State Central Committee.~~

30 ~~SEC. 60. Section 7672 of the Elections Code is repealed.~~

31 ~~SEC. 61. Section 7673 of the Elections Code is amended to~~
32 ~~read:~~

33 ~~7673. If the chairperson of the county central committee, on~~
34 ~~the 73rd day prior to the direct primary election, finds that the~~
35 ~~number of candidates nominated for selection to a committee from~~
36 ~~an Assembly or supervisor district does not exceed the number of~~
37 ~~candidates to be selected from that Assembly or supervisor district,~~
38 ~~then the candidates who have been nominated shall be declared~~
39 ~~selected.~~

1 ~~SEC. 62. Section 7674 of the Elections Code is amended to~~
2 ~~read:~~

3 ~~7674. Whenever a candidate for selection to a committee dies~~
4 ~~on or before the day of election or party caucus, and a sufficient~~
5 ~~number of ballots are marked as being voted for him or her to~~
6 ~~entitle him or her to selection if he or she had lived until after the~~
7 ~~election or party caucus, a vacancy exists on the county central~~
8 ~~committee, which shall be filled by the committee in the same~~
9 ~~manner as other vacancies are filled.~~

10 ~~SEC. 63. Section 7680 of the Elections Code is amended to~~
11 ~~read:~~

12 ~~7680. Each committee shall meet in the courthouse at its county~~
13 ~~seat, upon call, which shall be given by the chairperson of the~~
14 ~~county central committee on the second Tuesday in July following~~
15 ~~the direct primary election or party caucus, except that in any year~~
16 ~~in which a national convention of the party includes that date, the~~
17 ~~existing executive committee of a committee shall set the date of~~
18 ~~the meeting, not to exceed 30 days after the date herein specified.~~

19 ~~SEC. 64. Section 7681 of the Elections Code is amended to~~
20 ~~read:~~

21 ~~7681. Notwithstanding the provisions of Section 7680, a~~
22 ~~committee in a county having a population in excess of 4,000,000~~
23 ~~shall meet at its county seat in a centrally located auditorium~~
24 ~~sufficient to accommodate its membership.~~

25 ~~SEC. 65. Section 7682 of the Elections Code is repealed.~~

26 ~~SEC. 66. Section 7692 of the Elections Code is amended to~~
27 ~~read:~~

28 ~~7692. The committee shall perform other duties and services~~
29 ~~for this political party as seem to be for the benefit of the party.~~
30 ~~They shall continue to function and exist until the selection of new~~
31 ~~members by election at the succeeding direct primary or by party~~
32 ~~caucus and qualification of the members of the new committees.~~

33 ~~SEC. 67. Section 7694 of the Elections Code is amended to~~
34 ~~read:~~

35 ~~7694. Within five days after a committee meets for its~~
36 ~~organizational meeting, the newly elected chairperson of the~~
37 ~~committee shall notify the state party chairperson of his or her~~
38 ~~name.~~

39 ~~SEC. 68. Section 7695 of the Elections Code is amended to~~
40 ~~read:~~

1 ~~7695. Each committee may establish annual dues not to exceed~~
2 ~~twenty-four dollars (\$24) per year for selected, ex officio and~~
3 ~~alternate members. The committee may remove members or~~
4 ~~alternates for nonpayment of dues.~~

5 ~~SEC. 69. Section 7750 of the Elections Code is amended to~~
6 ~~read:~~

7 ~~7750. A county central committee may select its members at~~
8 ~~a caucus organized by the committee or by requesting the county~~
9 ~~elections official to include a list of candidates on the direct~~
10 ~~primary election ballot. The list of candidates to be included on~~
11 ~~the direct primary election ballot must be delivered to the local~~
12 ~~elections official no later than 5 p.m. on the 88th day prior to the~~
13 ~~direct primary.~~

14 ~~SEC. 70. Section 7752 of the Elections Code is amended to~~
15 ~~read:~~

16 ~~7752. The number of members of central committees to be~~
17 ~~selected in a county shall be the greater of either of the following:~~

18 ~~(a) The number seven.~~

19 ~~(b) The integer nearest the resulting quotient obtained by~~
20 ~~dividing 400 times the number of Peace and Freedom Party~~
21 ~~registered voters in the county by the number of Peace and~~
22 ~~Freedom Party registered voters in the state.~~

23 ~~However, the number of members of central committees to be~~
24 ~~selected in a county shall be five if the number of Peace and~~
25 ~~Freedom Party registered voters in the county is less than 150.~~

26 ~~SEC. 71. Section 7753 of the Elections Code is amended to~~
27 ~~read:~~

28 ~~7753. In each county where the number of members of central~~
29 ~~committees to be selected is 12 or less, the members shall be~~
30 ~~selected in a countywide, at large district. In each county where~~
31 ~~the number to be selected is 13 or greater, the members shall be~~
32 ~~selected by supervisorial district, except in Los Angeles County~~
33 ~~and in the City and County of San Francisco, wherein the members~~
34 ~~shall be selected by Assembly district.~~

35 ~~SEC. 72. Section 7754 of the Elections Code is amended to~~
36 ~~read:~~

37 ~~7754. The number to be selected from each supervisorial or~~
38 ~~Assembly district shall be the greater of either of the following:~~

39 ~~(a) The number one.~~

1 ~~(b) The integer nearest the resulting quotient obtained by~~
2 ~~dividing the number of members to be selected in that county times~~
3 ~~the number of Peace and Freedom Party registered voters in the~~
4 ~~district by the number of Peace and Freedom Party registered voters~~
5 ~~in the county.~~

6 ~~If the procedure outlined above would result in less members~~
7 ~~being selected in a county than the number to which the county is~~
8 ~~entitled under Section 7752, the calculation in subdivision (b) shall~~
9 ~~be repeated using a number of Peace and Freedom Party registered~~
10 ~~voters in the county sufficiently smaller than the actual number in~~
11 ~~the county so as to give a total number of members of central~~
12 ~~committees to be selected equal to or the nearest amount which is~~
13 ~~greater than the number to which the county is entitled.~~

14 ~~SEC. 73. Section 7755 of the Elections Code is amended to~~
15 ~~read:~~

16 ~~7755. Each person receiving a Peace and Freedom Party~~
17 ~~nomination for any voter nominated office at the preceding direct~~
18 ~~primary election or at any special election subsequent thereto shall~~
19 ~~be declared selected as a member of central committees. Any~~
20 ~~members selected pursuant to this section shall be in addition to~~
21 ~~the number a county is entitled to elect pursuant to Section 7752.~~

22 ~~SEC. 74. Section 7770 of the Elections Code is amended to~~
23 ~~read:~~

24 ~~7770. The state party chairperson, no later than the 135th day~~
25 ~~before the direct primary election, shall notify the Secretary of~~
26 ~~State whether or not a county central committee election or a party~~
27 ~~caucus will be held. In the event that a county central committee~~
28 ~~election is not held, a county central committee will be convened~~
29 ~~pursuant to rules adopted by the party.~~

30 ~~SEC. 75. Section 7771 of the Elections Code is amended to~~
31 ~~read:~~

32 ~~7771. The chairperson of the county central committee, no~~
33 ~~later than the 115th day before the direct primary election, shall~~
34 ~~compute the number of members of central committees to be~~
35 ~~selected in each supervisorial or Assembly district if the selection~~
36 ~~of the members is to be by supervisorial or Assembly district~~
37 ~~pursuant to this chapter.~~

38 ~~SEC. 76. Section 7772 of the Elections Code is repealed.~~

39 ~~SEC. 77. Section 7772.1 of the Elections Code is amended to~~
40 ~~read:~~

~~7772.1. Notwithstanding any other provision of law, if the chairperson of the county central committee, on the 73rd day prior to the direct primary election, finds that the number of candidates nominated for selection to a central committee from any election jurisdiction does not exceed the number to be selected from that jurisdiction, then the candidates who have been nominated shall be declared selected.~~

~~SEC. 78. Section 7773 of the Elections Code is amended to read:~~

~~7773. In counties where members of central committees are to be selected by supervisorial or Assembly district, a person seeking selection as a member of central committees may seek selection only in the supervisorial or Assembly district in which he or she resides.~~

~~SEC. 79. Section 7774 of the Elections Code is amended to read:~~

~~7774. A person qualifying as a candidate for member of central committees by virtue of qualification to have her or his name appear on the primary ballot for a voter nominated office shall have her or his name listed as a candidate for member of central committees only in the central committee district of her or his residence.~~

~~SEC. 80. Section 7775 of the Elections Code is amended to read:~~

~~7775. Notwithstanding any other provision of this code, a person may seek nomination to a public office and for selection as a member of central committees.~~

~~SEC. 81. Section 7778 of the Elections Code is repealed.~~

~~SEC. 82. Section 7779 of the Elections Code is amended to read:~~

~~7779. The order of appearance of the names of the candidates for member of central committees on the ballot shall be determined by the chairperson of the county central committee.~~

~~SEC. 83. Section 7780 of the Elections Code is repealed.~~

~~SEC. 84. Section 7781 of the Elections Code is amended to read:~~

~~7781. A party nominee for a voter nominated office qualifying to be declared selected as a member of central committees pursuant to Section 7755 shall not be additionally declared directly selected as a member of central committees pursuant to Section 15490 and~~

1 shall not possess a multiple membership on either the state central
2 committee or on a county central committee.

3 ~~SEC. 85. Section 7782 of the Elections Code is repealed.~~

4 ~~SEC. 86. Section 7783 of the Elections Code is repealed.~~

5 ~~SEC. 87. Section 7800 of the Elections Code is amended to~~
6 ~~read:~~

7 ~~7800. At the convention meeting of the state central committee,~~
8 ~~the state central committee shall consist initially of only those~~
9 ~~members of central committees selected at the most recent direct~~
10 ~~primary election or party caucus.~~

11 ~~SEC. 88. Section 7803 of the Elections Code is amended to~~
12 ~~read:~~

13 ~~7803. The state central committee may require a balance of~~
14 ~~selected and appointed members so that 50 percent of the state~~
15 ~~central committee members from each county are women and 50~~
16 ~~percent are men.~~

17 ~~SEC. 89. Section 7805 of the Elections Code is amended to~~
18 ~~read:~~

19 ~~7805. This committee may remove any selected or appointed~~
20 ~~member who, during the term of membership, affiliates with or~~
21 ~~registers as a member of another political party, publicly advocates~~
22 ~~that the voters should not vote for the nominee of the party for any~~
23 ~~office, publicly gives support to or avows a preference for a~~
24 ~~candidate of another party or candidate who is opposed to a~~
25 ~~candidate nominated by this party, or has violated the bylaws or~~
26 ~~constitution of the state central committee.~~

27 ~~SEC. 90. Section 7837 of the Elections Code is repealed.~~

28 ~~SEC. 91. Section 7840 of the Elections Code is amended to~~
29 ~~read:~~

30 ~~7840. The state central committee shall have power to appoint~~
31 ~~interim county central committees in the following counties:~~

32 ~~(a) Counties in which the voters have not elected one or more~~
33 ~~members of central committees in the direct primary election~~
34 ~~preceding the organization of this committee and have not selected~~
35 ~~any central committee members in a party caucus.~~

36 ~~(b) Counties in which all members of a county central committee~~
37 ~~are removed from office or cease to be registered as affiliated with~~
38 ~~the Peace and Freedom Party.~~

39 ~~Persons appointed to interim county central committees pursuant~~
40 ~~to this section shall meet the qualifications otherwise required of~~

1 appointees to membership on the county central committees. Notice
2 of any appointments pursuant to this section shall be filed by the
3 state central committee with the chairperson of the county central
4 committee for which that interim county central committee is
5 appointed. Interim county central committees appointed pursuant
6 to this section shall have all the powers and privileges afforded
7 county central committees by this part.

8 SEC. 92. ~~Section 7851 of the Elections Code is amended to~~
9 ~~read:~~

10 7851. ~~A county central committee may require a balance of~~
11 ~~selected and appointed committee members to create a total~~
12 ~~membership division of 50 percent women and 50 percent men.~~

13 SEC. 93. ~~Section 7854 of the Elections Code is amended to~~
14 ~~read:~~

15 7854. ~~The removal of residence by a selected or appointed~~
16 ~~member of a county central committee from the county from which~~
17 ~~the member was selected shall constitute the member's automatic~~
18 ~~resignation from the committee.~~

19 SEC. 94. ~~Section 7855 of the Elections Code is amended to~~
20 ~~read:~~

21 7855. ~~A committee may remove any selected or appointed~~
22 ~~member, who during the term of membership, affiliates with or~~
23 ~~registers as a member of another political party, publicly advocates~~
24 ~~that the voters should not vote for the nominee of the party for any~~
25 ~~office, publicly gives support to or avows a preference for a~~
26 ~~candidate of another party or candidate who is opposed to a~~
27 ~~candidate nominated by this party, or has violated the bylaws or~~
28 ~~constitution of the committee.~~

29 SEC. 95. ~~Section 7856 of the Elections Code is amended to~~
30 ~~read:~~

31 7856. ~~Whenever any person is appointed to a committee, the~~
32 ~~chairperson of the committee shall file notices of the appointment~~
33 ~~with the chairperson of the state central committee within 30 days~~
34 ~~after it is made. The notices shall contain the name and address of~~
35 ~~the person appointed and shall indicate the date of the appointment.~~

36 SEC. 96. ~~Section 7857 of the Elections Code is amended to~~
37 ~~read:~~

38 7857. ~~If no members of central committees have been selected~~
39 ~~in a county at the preceding direct primary election or party caucus~~
40 ~~or, if for any reason all the members of a county central committee~~

1 ~~are removed from office or cease to be registered as affiliated as~~
2 ~~members of the Peace and Freedom Party, then an interim county~~
3 ~~central committee with full powers may be appointed by the state~~
4 ~~central committee under the procedures specified in Section 7840.~~

5 ~~SEC. 97. Section 7870 of the Elections Code is repealed.~~

6 ~~SEC. 98. Section 7882 of the Elections Code is amended to~~
7 ~~read:~~

8 ~~7882. The committees shall perform other duties and services~~
9 ~~for this political party as seem to be for the benefit of the party.~~
10 ~~They shall continue to function and exist until the members of the~~
11 ~~new committees take office after the succeeding direct primary~~
12 ~~election or party caucus.~~

13 ~~SEC. 99. Section 7884 of the Elections Code is repealed.~~

14 ~~SEC. 100. Section 8001 of the Elections Code is amended to~~
15 ~~read:~~

16 ~~8001. (a) No declaration of candidacy for a partisan office~~
17 ~~shall be filed, by a candidate unless (1) at the time of presentation~~
18 ~~of the declaration and continuously for not less than three months~~
19 ~~immediately prior to that time, or for as long as he has been eligible~~
20 ~~to register to vote in the state, the candidate is shown by his~~
21 ~~affidavit of registration to be affiliated with the political party the~~
22 ~~nomination of which he seeks, and (2) the candidate has not been~~
23 ~~registered as affiliated with a qualified political party other than~~
24 ~~that political party the nomination of which he seeks within 12~~
25 ~~months, or, in the case of an election governed by Chapter 1~~
26 ~~(commencing with Section 10700) of Part 6 of Division 10, within~~
27 ~~three months immediately prior to the filing of the declaration.~~

28 ~~(b) The elections official shall attach a certificate to the~~
29 ~~declaration of candidacy showing the date on which the candidate~~
30 ~~registered as intending to affiliate with the political party the~~
31 ~~nomination of which he seeks, and indicating that the candidate~~
32 ~~has not been affiliated with any other qualified political party for~~
33 ~~the period specified in subdivision (a) immediately preceding the~~
34 ~~filing of the declaration. This section shall not apply to declarations~~
35 ~~of candidacy filed by a candidate of a political party participating~~
36 ~~in its first direct primary election subsequent to its qualification~~
37 ~~as a political party pursuant to Section 5100.~~

38 ~~SEC. 101. Section 8020 of the Elections Code is amended to~~
39 ~~read:~~

1 ~~8020. (a) No candidate's name shall be printed on the ballot~~
2 ~~to be used at the direct primary unless the following nomination~~
3 ~~documents are delivered for filing to the county elections official:~~

4 ~~(1) Declaration of candidacy pursuant to Section 8040.~~

5 ~~(2) Nomination papers signed by signers pursuant to Section~~
6 ~~8041.~~

7 ~~(b) The forms shall first be available on the 113th day prior to~~
8 ~~the direct primary election and shall be delivered not later than 5~~
9 ~~p.m. on the 88th day prior to the direct primary. The forms may~~
10 ~~be delivered to the county elections official by a person other than~~
11 ~~the candidate.~~

12 ~~(c) Upon the receipt of an executed nomination document, the~~
13 ~~county elections official shall give the person delivering the~~
14 ~~document a receipt, properly dated, indicating that the document~~
15 ~~was delivered to the county elections official.~~

16 ~~(d) Notwithstanding Section 8028, upon request of a candidate,~~
17 ~~the county elections official shall provide the candidate with a~~
18 ~~declaration of candidacy. The county elections official shall not~~
19 ~~require a candidate to sign, file, or sign and file, a declaration of~~
20 ~~candidacy as a condition of receiving nomination papers.~~

21 ~~(e) This section shall not apply to any candidate for a county~~
22 ~~central committee that chooses to select its members by election~~
23 ~~pursuant to Division 7 (commencing with Section 7000) of the~~
24 ~~Elections Code.~~

25 ~~SEC. 102. Section 8101 of the Elections Code is amended to~~
26 ~~read:~~

27 ~~8101. All forms required for nomination and election to all~~
28 ~~congressional, state, and county, offices shall be furnished only~~
29 ~~by the county elections official. At the time of issuance of those~~
30 ~~forms the county elections official shall type in the forms the name~~
31 ~~of the candidate and the office for which he or she is a candidate,~~
32 ~~shall imprint a stamp which reads "Official Filing Form," and shall~~
33 ~~affix his or her signature. The forms shall be distributed without~~
34 ~~charge to all candidates applying for them.~~

35 ~~SEC. 103. Section 12104 of the Elections Code is amended to~~
36 ~~read:~~

37 ~~12104. (a) A notice designating the offices for which~~
38 ~~candidates are to be nominated shall be in substantially the~~
39 ~~following form:~~

~~Secretary of State~~

~~(b) The notice designating the political parties qualified to participate in this election for nomination of candidates shall be in substantially the following form:~~

~~NOTICE BY SECRETARY OF STATE OF POLITICAL
PARTIES QUALIFIED TO PARTICIPATE IN THE DIRECT
PRIMARY ELECTION~~

~~Secretary of State~~

~~Sacramento, __, 19__.~~

~~To the County Elections Official of the County of ____:~~

~~Notice is hereby given that the political parties qualified to participate in this election for nomination of candidates to partisan offices are as follows:~~

~~(seal)~~

~~_____

Secretary of State~~

~~SEC. 104. Section 13289 of the Elections Code is repealed.~~

~~SEC. 105. Section 13305 of the Elections Code is repealed.~~

~~SEC. 106. Section 15460 of the Elections Code is amended to read:~~

~~15460. If a county central committee has chosen to select its members by election pursuant to Section 7225 then the number of candidates for membership in that county central committee for an Assembly or supervisorial district who receive the highest number of votes shall be declared elected.~~

~~SEC. 107. Section 15470 of the Elections Code is amended to read:~~

~~15470. If a county central committee has chosen to select its members by election pursuant to Section 7420 then the number of candidates for membership in a committee for an Assembly or supervisorial district who receive the highest number of votes shall be declared elected.~~

~~SEC. 108. Section 15480 of the Elections Code is amended to read:~~

~~15480. If a county central committee has chosen to select its members by election pursuant to Section 7670 then the number of candidates for membership in a county central committee for an~~

1 ~~Assembly or supervisor district who receive the highest number~~
2 ~~of votes shall be declared elected.~~

3 SEC. 109. ~~Section 15490 of the Elections Code is amended to~~
4 ~~read:~~

5 ~~15490. If a county central committee has chosen to select its~~
6 ~~members by election pursuant to Section 7750 then the number of~~
7 ~~candidates for member of central committees to be elected in each~~
8 ~~central committee election district who receive the highest number~~
9 ~~of votes shall be declared elected. The names and votes of all~~
10 ~~nominees for partisan public office qualified for central committees~~
11 ~~membership pursuant to Section 7755 shall be excluded from the~~
12 ~~list of candidates for member of central committees and disregarded~~
13 ~~in the determination of the candidates with the highest number of~~
14 ~~votes.~~

15 ~~No write-in candidate for member of central committees shall~~
16 ~~be declared elected, however, unless that candidate has received~~
17 ~~a number of votes equal to or greater than 2 percent of the number~~
18 ~~of party members voting in the central committee election district~~
19 ~~at the direct primary, or 20 votes, whichever is less.~~